MERCHANT & GOULD P.C.



United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

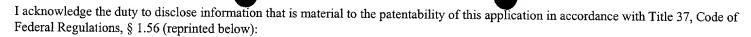
As below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my

name; that	TRADE	_	•		r	110110 00 1119
are named be	rily believe I am the origing clow) of the subject matter R NOZZLE-INJECTION	which is claimed and for	which a patent is sought	ed below) or a jo t on the inventio	oint inventor (if plural i on entitled: METHOD A	nventors AND
a. ☐ is attaction is application)	ation of which ched hereto led on 31 August 2001 as a described and claimed in it ed States patent.	application serial no. 09/9 nternational no. filed	945835 and was amended and as amended on		cable) (in the case of a children in the childre	PCT-filed for which I
I hereby state any amendm	e that I have reviewed and ent referred to above.	understand the contents o	of the above-identified sp	ecification, incl	uding the claims, as am	ended by
that of the ap a. no suc b. such a	n foreign priority benefits ted below and have also id plication on the basis of w h applications have been fi pplications have been filed	entified below any foreig hich priority is claimed: led.	ates Code, § 119/365 of an application for patent of	any foreign appl or inventor's cer	lication(s) for patent or tificate having a filing d	inventor's late before
1,11	FOREIGN	APPLICATION(S), IF ANY,	CLAIMING PRIORITY UN	DER 35 USC 8 11	9	
COUNTRY Germany	AP	PLICATION NUMBER 00 43 279.4	DATE OF FILING (day, month, year) 2 September 2000	D	ATE OF ISSUE day, month, year)	
200	ALL FOREIGN	APPLICATION(S), IF ANY,		RITY APPLICAT	TON(S)	
COUNTRY		PLICATION NUMBER	DATE OF FILING (day, month, year)	D	ATE OF ISSUE day, month, year)	
manner provi defined in Tit	n the benefit under Title 3: sofar as the subject matter ded by the first paragraph le 37, Code of Federal Reg ational filing date of this a	of each of the claims of to of Title 35, United States gulations, § 1.56(a) which	his application is not dis- Code. § 112. I acknowle	closed in the pri	or United States applica	ation in the
U.S. AI	PLICATION NUMBER	DATE OF FILING	G (day, month, year)	STATUS (p:	atented, pending, abandone	ed)

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)



§ 1.56 Duty to disclose information material to patentability.

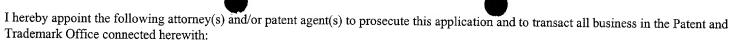
- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the prependerance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:

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- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.
- (e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.



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I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant & Gould P.C. to the contrary.

I understand that the execution of this document, and the grant of a power of attorney, does not in itself establish an attorney-client relationship between the undersigned and the law firm Merchant & Gould P.C., or any of its attorneys.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued therson.

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